

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

U. S. Bank Trust, N.A., as Trustee for LSF9	:	
Master Participation Trust	:	
	:	
Plaintiff	:	
v.	:	
	:	
David M. Yeaton	:	CIVIL ACTION NO.
	:	2:19-cv-00279-JDL
Defendant	:	
	:	
	:	
National City Bank	:	
	:	
Party-In-Interest	:	

**ANSWER OF PARTY-IN-INTEREST NATIONAL CITY BANK**

NOW COMES National City Bank by and through its undersigned counsel, Brock & Scott, PLLC, and **ANSWERS** the Complaint of Plaintiff U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“the Plaintiff”) against Defendant David M. Yeaton, et al, as follows:

1. National City Bank is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 1-5 of the complaint, and therefore denies the same.
2. National City Bank admits the allegations contained in Paragraph 6 of the Complaint.
3. National City Bank is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 7-13 of the complaint, and therefore denies the same.
4. National City Bank admits the allegations contained in Paragraph 14 of the Complaint.
5. National City Bank is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 15-66 of the complaint, and therefore denies the same.
6. The allegations contained following in Paragraph 66 of the Complaint are a prayer for relief, to which no response is required, but to the extent that a response may be required,

National City Bank is without knowledge or information sufficient to form a belief as to the truth or falsity of the allegations and therefore denies the same.

WHEREFORE, National City Bank respectfully requests:

- a. That if and when the Court determines the Defendant is in default under the terms and conditions of the Plaintiff's Mortgage, and therefore determines breach, that the Court determine the amount and order of priority of National City Bank in the mortgaged property by virtue of its Mortgage;
- b. That, the Court issue a Judgment of Foreclosure setting forth the priority of National City Bank in the property and the amounts due to it; and
- c. Grant such other and further relief as this Court may deem just and proper.

Respectfully submitted,  
National City Bank  
By its Attorneys,

October 1, 2019

/s/ James M. Garnet

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on October 1, 2019, the foregoing document was filed electronically with the Clerk of Court using the CM/ECF system and that the same will be sent electronically to all registered participants as identified in the CM/ECF electronic filing system for this action.

/s/ James M. Garnet

James M. Garnet, Esq.